

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER SPINGOLA,

Defendant.

No. CR 06-00688-01 EMC

[PROPOSED] STIPULATED
ORDER CONTINUING INITIAL
APPEARANCE

Current Hearing Date: October 1,
2008 at 9:30 a.m.

Proposed Hearing Date: October 22,
2008 at 9:30 a.m.

At the request of the Probation Office, this Court summonsed Peter Spingola to appear before the Court on Wednesday, September 24, 2008 at 9:30 a.m. for allegations regarding violations of probation. AFPD Kalar was unavailable on that date because of a previous commitment at the Ninth Circuit, and the matter was continued to October 1, 2008.

Last Friday, the Honorable Charles R. Breyer informed the parties in a trial scheduled for October 6, 2008 that he was, *sua sponte*, moving jury selection for that trial to the morning of October 1, 2008. AFPD Kalar will accordingly be unavailable on Wednesday October 1, or on October 8th or 15th because of the trial obligations.

Therefore, the defense respectfully requests that the initial appearance be moved to Wednesday, October 22, 2008 at 9:30 a.m.

1 The government has no objection to this continuance.

2 Therefore, for good cause shown, the initial appearance of Mr. Spingola on October 1,
3 2008 is vacated. The matter shall be added to the Court's criminal calendar on the morning of
4 Wednesday, October 22, 2008 at 9:30 a.m. for initial appearance, identification of counsel,
5 and to set further dates.

6 IT IS SO ORDERED.

7
8 September 30, 2008

9 DATED

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11 IT IS SO STIPULATED.

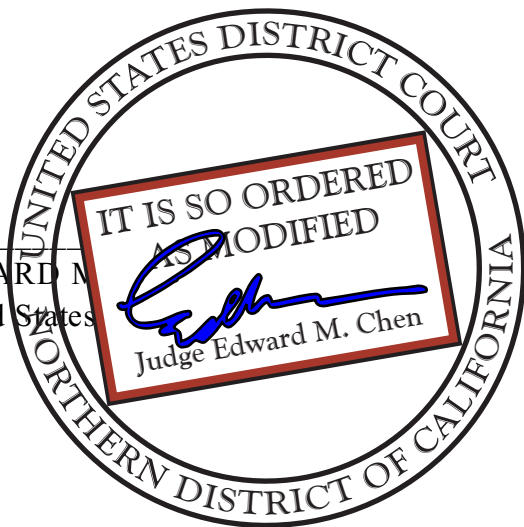
12
13 September 29, 2008

14 DATED

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19 September 29, 2008

20 DATED

EDWARD M.
United States



/s

JOSEPH P. RUSSONIELLO

United States Attorney

Northern District of California

WENDY THOMAS

Assistant United States Attorney

/s

BARRY J. PORTMAN

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STEVEN G. KALAR

Assistant Federal Public Defender